

Application/Control Number: 10/706,432  
Art Unit: 2661

Docket No.: 1999-0080Con

### **REMARKS**

Reconsideration and allowance are requested in view of a terminal disclaimer filed concurrently herewith, and the following remarks.

Claims 1, 3, 4, 8-12, 13, and 16-19 were amended only to improve form and not for the purpose of patentability.

In the Office Action of September 14, 2004, the Examiner rejected claims 1-3, 5, and 12-15 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1 and 3 of U.S. Patent No. 6,697,334; rejected claims 4, 6, and 7 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1 and 3 of U.S. Patent No. 6,697,334 as applied to claims 1 and 12 of the instant application, in view of U.S. Patent No. 6,240,463 to Benmohamed et al., ("Benmohamed"); and objected to claims 8-11 and 16-19 for being dependent upon a rejected base claim, but would otherwise be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants wish to thank the Examiner for acknowledging that claims 8-11 and 16-19 contain allowable subject matter.

### **Rejection of Claims 1-3, 5, and 12-15**

On page 2 of the Office Action, the Examiner rejected claims 1-3, 5 and 12-15 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1 and 3 of U.S. Patent No. 6,697,334. Applicants are submitting, concurrently herewith, a terminal disclaimer to disclaim that portion of the term of a patent that may issue from the present application which would extend beyond the normal term of U.S. Patent No. 6,697,334. Therefore, Applicants respectfully request that the rejection be withdrawn.

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#### **Rejection of Claims 4, 6, and 7**

On page 3 of the Office Action, the Examiner rejected claims 4, 6, and 7 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1 and 3 of U.S. Patent No. 6,697,334 as applied to claims 1 and 12 of the instant application, in view of U.S. Patent No. 6,240,463 to Benmohamed et al., ("Benmohamed"). Applicants are submitting, concurrently herewith, a terminal disclaimer to disclaim that portion of the term of a patent that may issue from the present application which would extend beyond the normal term of U.S. Patent No. 6,697,334, thereby removing the '334 reference as prior art. Benmohamed does not disclose all of the limitations of the claims on its own. Therefore, Applicants respectfully request that the rejection be withdrawn.

#### **Objection to Claims 8-11 and 16-19**

On page 4 of the Office Action, the Examiner objected to claims 8-11 and 16-19 as being dependent upon a rejected base claim, but would otherwise be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Applicants submit that, in view of the above, claims 8-11 and 16-19 now depend from allowable claims. Therefore, Applicants respectfully request that the objection be withdrawn.

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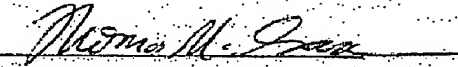
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**CONCLUSION**

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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